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# 6

## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant(s): B. Parker et al

Serial No: 10/033,813

Group Art Unit: 2643

Title: Telephonic Addressing for Establishing Simultaneous  
Voice and Computer Network Connections

## CERTIFICATE OF MAILING (37 C.F.R. § 1.8(a))

I hereby certify that this correspondence is, on the date shown below, being deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to Commissioner of Patents and Trademarks, Washington, D.C. 20231.

Date: March 20, 2002Terri L. Fox  
Terri L. Fox

Commissioner of Patents and Trademarks  
Washington, D.C. 20231

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DEC 03 2002

Petition under 37 CFR 1.10 (c)

PETITIONS OFFICE

Sir:

Pursuant to 37 CFR 1.10, applicant hereby petitions that a filing date of December 20, 2001, be accorded to the above-identified patent application that was USPS Express Mailed to the USPTO on that date. The original Filing Receipt mailed by the USPTO on January 28, 2002, accords a filing date of January 3, 2002.

In accordance with 37 CFR 1.10(c)(1), this petition is being filed promptly after Applicant became aware of the discrepancy.

In accordance with the requirements of 37 CFR 1.10(c)(2), the Express Mailing Label number EL588510662US was entered onto

Adjustment date: 12/12/2002 AKELLEY  
07/16/2002 TROBERTS 00000003 210765 10033813  
01 FC:122 130.00 CR

- 1 -  
(10/033,813)

the Utility Patent Application Transmittal prior to mailing by Express Mail, as shown on the enclosed copy of the Transmittal.

In accordance with the requirements of 37 CFR 1.10(c)(3), a computer printout from the USPS on-line tracking system is attached showing that Express Mail item EL588510662US was received and in route to the USPTO on December 20, 2001. A copy of a customer receipt from the USPS has not been located. Nevertheless, 37 CFR 1.10(c)(3) allows "other official notation by the USPS." The enclosed tracking record generated by the USPS constitutes its official notation.

In view of the above showing, Applicant requests that the present application be accorded a filing date of December 20, 2001.

Please charge any fees associated with the filing of this petition to Deposit Account 21-0765.

Respectfully submitted,



Mark L. Mollon  
Registration No. 31,123  
Attorney for Applicant

Dated: March 20, 2002  
MacMillan, Sobanski & Todd, LLC  
One Maritime Plaza, Fourth Floor  
720 Water Street  
Toledo, Ohio 43604  
Tel: 734-542-0900  
Fax: 734-542-9569

LAW OFFICES OF  
**MACMILLAN, SOBANSKI & TODD, LLC**

William J. Clemens  
 Mark L. Mollon  
 Donald A. Wilkinson  
 Michael L. Flynn

38705 Seven Mile Road  
 Suite 360  
 Livonia, Michigan 48152-3987

Telephone 734.542.0900  
 Facsimile 734.542.9569  
 E-mail livonia@mstfirm.com

Perrysburg, Ohio Office

Donald R. Fraser  
 Richard G. Martin  
 J. Douglas Miller  
 Gregory W. Robinette  
 132C West Second Street  
 Perrysburg, Ohio 43551-1401  
 Telephone 419.874.1100  
 Facsimile 419.874.1130  
 E-mail perrysburg@mstfirm.com

Toledo, Ohio Office

Richard S. MacMillan  
 Mark J. Sobanski  
 Oliver E. Todd, Jr.  
 Ted C. Gillespie  
 Douglas V. Pavelko  
 Allen W. Inks  
 John B. Molnar  
 Gary M. Surter  
 Thedford I. Hittler  
 Scott A. Blake  
 Shital A. Shah  
 One Maritime Plaza  
 Fourth Floor  
 720 Water Street  
 Toledo, Ohio 43604-1853  
 Telephone 419.255.5900  
 Facsimile 419.255.9639  
 E-mail toledo@mstfirm.com

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## FAX COVER SHEET

<b>TO:</b> Mr. Steven Brantley	<b>DATE:</b> December 3, 2002
<b>FAX:</b> 703-308-6916	<b>PHONE:</b> 703-306-5683
<b>FROM:</b> Mark Mollon (Reg. No. 31,123)	<b>Total pages (inc. cover):</b> 5
<b>SUBJECT:</b> Serial No. 10/033,813 Petition Under Rule 10	
<p><b>Message:</b> Here is a copy of the previously filed petition that has not had a decision. An identical petition filed on the same day as this petition in a related case (serial no. 10/034,012) was granted on 5/1/02. Thank you for your assistance. Please call me at 734-542-0228 if I need to provide anything else.</p>	

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UTIL  
PATENT APPLICATION  
TRANSMITTAL

Only for new nonprovisional applications under 37 CFR 1.53(b)

## APPLICATION ELEMENTS

See MPEP chapter 600 concerning utility patent application contents

Attorney Docket: 1793 (15811)

First Inventor or Application Identifier Benjamin J. Parker et al.

Title Telephonic Addressing for Establishing Simultaneous Voice and Computer Network Connections

Express Mail Label No. EL 588510662 US

ADDRESS TO: Assistant Commissioner for Patents  
Box Patent Application  
Washington, DC 20231

1. ☒ \*Fee Transmittal Form (e.g., PTO/SB/17)  
(Submit an original, and a duplicate for fee processing)
2. ☐ Applicant claims small entity status.  
(See 37 CFR 1.27)
3. ☒ Specification [Total Pages 33]  
(preferred arrangement set forth below)
- Descriptive title of the invention
  - Cross References to Related Applications
  - Statement Regarding Fed sponsored R&D
  - Reference to sequence listing, a table, or a computer program listing appendix
  - Background of the invention
  - Brief Summary of the invention
  - Brief Description of the Drawings (if filed)
  - Detailed Description
  - Claim(s)
  - Abstract of the Disclosure
4. ☒ Drawing(s) (35 USC 113) [Total Sheets 12]
5. Oath or Declaration [Total Pages 2]
- a. ☒ Newly executed (original or copy)
- b. ☐ Copy from a prior application (37 CFR 1.63(d))  
(for continuation/divisional with Box 18 completed)  
[Note Box 5 below]
- DELETION OF INVENTORS**
- i. ☐ Signed statement attached deleting inventor(s) named in the prior application, see CFR §§ 1.63(d)(2) and 1.33(b).
6. ☐ Application Data Sheet. See 37 CFR 1.76

7. ☐ CD-ROM or CD-R in duplicate, large table or Computer Program (Appendix)
8. ☐ Nucleotide and/or Amino Acid Sequence Submission (if applicable, all necessary)
- a. ☐ Computer Readable Form (CRF)
- b. Specification Sequence Listing on:
- i. ☐ CD-ROM or CD-R (2 copies); or
- ii. ☐ Paper
- c. ☐ Statement verifying identity of above copies

## ACCOMPANYING APPLICATION PARTS

9. ☒ Assignment Papers (cover sheet & documents)
10. ☐ 37 CFR §3.73(b) Statement ☒ Power of Attorney  
(when there is an assignee)
11. ☐ English Translation Document (if applicable).
12. ☐ Information Disclosure Statement (IDS)/PTO-1449 ☐ Copies of IDS Citations
13. ☐ Preliminary Amendment
14. ☒ Return Receipt Postcard (MPEP 503)  
(Should be specifically itemized)
15. ☐ Certified Copy of Priority Document(s)  
(if foreign priority is claimed)
16. ☒ Request and Certificate under 35 U.S.C. 122(b)(2)(B)(i).  
Applicant must attach Form PTO/SB/35 or its equivalent
17. ☐ Other: \_\_\_\_\_

18. If a CONTINUING APPLICATION, check appropriate box, and supply the requisite information below and in a preliminary amendment:

☐ Continuation ☐ Divisional ☒ Continuation-in-part (CIP)

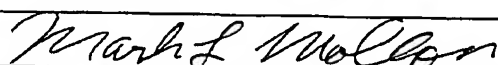
Prior application information: Examiner \_\_\_\_\_

of prior Application No. 09 / 978,616  
Group/Art Unit \_\_\_\_\_

For CONTINUATION OR DIVISIONAL APPS only: The entire disclosure of the prior application, from which an oath or declaration is supplied under Box 5b, is considered a part of the disclosure of the accompanying continuation or divisional application and is hereby incorporated by reference. The incorporation can only be relied upon when a portion has been inadvertently omitted from the submitted application parts.

## 19. CORRESPONDENCE ADDRESS

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Name (print/type)	Mark L. Mollon			Registration No. (Attorney/Agent)	31,123
Signature				Date	December 20, 2001

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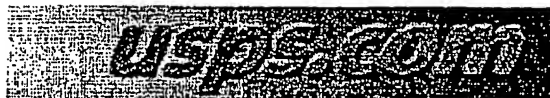
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"Express Mail" Mailing Label No. EL 588510662 US Date of Deposit December 20, 2001. I hereby certify that this paper or fee is being deposited in the United States "Express Mail Post Office to Addressee" service under 37 CFR 1.10 on the date indicated above and is addressed to the Assistant Commissioner for Patents, Washington, DC 20231.

  
Terri L. Fox

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### Shipment History

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REQUEST FOR PATENT FEE REFUND					
1 Date of Request: <u>12-10-02</u>		2 Serial/Patent # <u>10/033,813</u>			
3 Please refund the following fee(s):		4 PAPER NUMBER	5 DATE FILED	6 AMOUNT	
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